

AO 441 (Rev.5/85) Third Party Summons in a Civil Action

FILED
US DISTRICT COURT
DISTRICT OF ALASKA

United States District Court

2005 DEC 22 PM 2:28

DISTRICT OF ALASKA

PLAINTIFF

FAIRBANKS INVESTORS, INC.,

**THIRD PARTY SUMMONS IN A
CIVIL ACTION**

V. DEFENDANT AND THIRD PARTY PLAINTIFF

UNITED STATES DEPT. OF
AGRICULTURE, FARM SERVICE
AGENCY,

CASE NUMBER F05-023 CV (RRB)

V. THIRD PARTY DEFENDANT

LYALL BRASIER aka LYALL R.
BRASIER, JR. aka LYALL RAYMOND
BRASIER, JR. and

JEANETTE BRASIER aka JEANETTE
E. BRASIER aka JEANETTE ELAINE
BRASIER, Husband and Wife;
VANDER WEELE FARMS; and
FAIRBANKS INVESTORS, INC.

TO: Name and address of Third Party Defendant)
VANDER WEELE FARMS
P O BOX 461
PALMER, AK 99645

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

JOHN J. BURNS
BORGESON & BURNS PC
100 CUSHMAN STREET #311
FAIRBANKS, AK 99701

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY
(name and address)

DANIEL R. COOPER, JR.
ASSISTANT US ATTORNEY
US ATTORNEY'S OFFICE
222 W. SEVENTH AVE #9 RM. 253
ANCHORAGE, AK 99513-7567

an answer to the third-party complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the third-party complaint. There is also served upon you herewith a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless*(1) this is a case within Rule 9 (h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14 (c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff.

TDA ROMACK
CLERK

December 8 2005
DATE

(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party Summons In a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE DECEMBER 19, 2005
NAME OF SERVER JOY McCULLOCH	TITLE LEGAL ASSISTANT

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the third-party defendant. Place where served: _____
- ☐ Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____
- ☒ Other (specify): THIRD PARTY SUMMONS & THIRD PARY COMPLAINT SERVED VIA CERTIFIED MAIL

STATEMENT OF SERVICE FEES

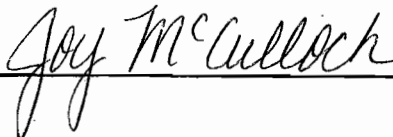
TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 12/21/05
Date

Signature of Server



222 W 7th Ave., #253, Anchorage, AK 99513
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
OFFICIAL USE	
Postage	\$ 2.90
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	1.75
Total Postage & Fees	\$ 6.95
Postmark Here 12/8/05	
Sent To Vander Weele Farms	
Street, Apt. No., or PO Box Box 461	
City, State, ZIP+4 Palmer, AK 99645	
PS Form 3800, January 2001 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>[Signature]</i> C. Date of Delivery <i>12-19-05</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Vander Weele Farms P O Box 461 Palmer, AK 99645</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label)</p> <p>7001 2510 0002 1406 6094</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

I declare under penalty of perjury that a true and correct copy of the Third Party Summons was sent to the following counsel of record on December 22, 2005, via:

(X) U.S. Mail

John J. Burns
Borgeson & Burns, PC
100 Cushman Street #311
Fairbanks, AK 99701

Executed at Anchorage, Alaska, on December 22, 2005



Office of the U.S. Attorney